

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BEATRICE HUDSON,)
Plaintiff,) 8:05cv151
vs.) MEMORANDUM AND ORDER
NEBRASKA EQUAL OPPORTUNITY)
COMMISSION,)
Defendant.)

This matter is before the court on filing no. 4, the court's order directing the plaintiff to pay the filing fee in this case by no later than April 29, 2005, in the absence of which "this case may be subject, without further notice, to dismissal ... without prejudice for lack of prosecution." The plaintiff has not paid the filing fee, and the deadline set in filing no. 4 has expired. Pursuant to 28 U.S.C. § 1915(e)(2), for the reasons stated in filing no. 4, and because the plaintiff has failed to prosecute this case with diligence, the plaintiff's complaint and the above-entitled case are dismissed without prejudice. A separate judgment will be entered accordingly.

SO ORDERED.

DATED this 4th day of May, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
Chief District Judge